

At the Courthouse of the United
States District Court for the
Eastern District of New York,
located at 225 Cadman Plaza
East, Brooklyn, New York, on the
25th day of September, 2009

P R E S E N T:

HON. VIKTOR V. POHORELSKY
UNITED STATES MAGISTRATE JUDGE

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OLGA MORROBEL, MANUEL SANCHEZ and
OLGA MORROBEL and MANUEL SANCHEZ as
Parents and Natural Guardians of
KIMBERLY SANCHEZ, an Infant Under
the Age of 14 Years,

08 CV 813 (VVP)

Plaintiffs,

COMPROMISE ORDER

-against-

LIEUTENANT JAMES CAHILL, P.O. "JOHN DOE"
1-12 and THE CITY OF NEW YORK,

Defendants.
-----X

Upon reading and filing the annexed affidavit of OLGA MORROBEL and MANUEL SANCHEZ, sworn to the 8th day of August, 2009, the declaration of ALAN D. LEVINE, ESQ., dated August 5, 2009, and upon the pleadings and proceedings heretofore had herein, and sufficient reason appearing therefrom that it is in the best interest of the infant plaintiff, KIMBERLY SANCHEZ, to settle and compromise the above-captioned cause of action and OLGA MORROBEL and MANUEL SANCHEZ, her parents and natural guardians, having appeared before the court with the infant and their attorney and consented to the compromise settlement of this action and the court having waived any further appearances by the infant and her parents, and having

waived further appearances or approval by the defendants, and it appearing that the best interests of the infant will served by said settlement, it is

ORDERED, ADJUDGED AND DECREED, that OLGA MORROBEL and MANUEL SANCHEZ, the parents and natural guardians of the infant, KIMBERLY SANCHEZ, are hereby authorized to settle and compromise the claim of the infant, KIMBERLY SANCHEZ, against LIEUTENANT JAMES CAHILL, P.O. "JOHN DOE" 1-12 and THE CITY OF NEW YORK for the sum of Seven Thousand Five Hundred (\$7,500.00) Dollars, said sum to be attained through payment by The City of New York of Seven Thousand Five Hundred (\$7,500.00) Dollars and it is further

ORDERED, ADJUDGED AND DECREED, that, out of said total sum, there be paid to ALAN D. LEVINE, the attorney for the plaintiffs, the sum of Two Thousand Five Hundred (\$2,500.00) Dollars, as his entire compensation, including disbursements, in the infant's claim and it is further

ORDERED, ADJUDGED AND DECREED, that the sum of Five Thousand (\$5,000.00) Dollars, be paid to OLGA MORROBEL and MANUEL SANCHEZ, the parents and natural guardians of KIMBERLY SANCHEZ, an infant, jointly with an officer of *the Dime Savings Bank* located at *188 Montague Street, Brooklyn, New York* for the sole use and benefit of said infant and to be deposited in said bank in the guardians' names and custody for said infant and in a guardian account upon the following conditions:

- (a) Said account shall be fully insured at all times.

(b) Said funds shall be deposited in an account having the highest yield available, irrespective of whether it is a savings account, a certificate of deposit or other form of time deposit, subject to the limitations contained therein and subject to further order of this Court.

(c) If all or part of said funds are deposited in a savings certificate or other form of time deposit, the date of maturity of said deposit shall not extend beyond the date when said infant attains the age of eighteen (18) years, and upon the maturity of said deposit, said funds shall be reinvested in some form of account to the end that said funds shall continue to draw interest at the highest available yield, and it is further

ORDERED, ADJUDGED AND DECREED, that the bank is authorized and hereby directed, upon said infant's demand, without further order of the Court, to pay over, when she reaches the age of eighteen (18) years, all monies held by it in said account, and it is further

ORDERED, ADJUDGED AND DECREED, that said bank is authorized and directed to maintain One Hundred Percent (100%) of said fund in a form of deposit yielding the highest dividend return to the infant plaintiff, providing that said fund shall not be in such a form that it will not all be available to the infant plaintiff when she attains the age of eighteen (18) years of age, and it is further

ORDERED, ADJUDGED AND DECREED, that upon full compliance with the terms of this order, the parents, OLGA MORROBEL and MANUEL SANCHEZ, be and hereby are authorized and empowered to execute and deliver a general release on behalf of the infant, KIMBERLY SANCHEZ, and to deliver any other instrument necessary to effectuate the settlement herein.

ENTER:

[Handwritten signature]

s/ Magistrate Judge Pohorelsky

U.S.M.J.